

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TAC SCHLARTE, Individually and on
Behalf of all others similarly situated

Plaintiff(s),

vs.

MARATHON DIGITAL HOLDINGS, INC.

Defendant(s).

Case # 2:21-cv-02209-RFB-NJK

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE
IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED
TO THE BAR OF THIS COURT
AND DESIGNATION OF
LOCAL COUNSEL**

FILING FEE IS \$250.00

Adam M. Apton

(name of petitioner)

, Petitioner, respectfully represents to the Court:

1. That Petitioner is an attorney at law and a member of the law firm of

Levi & Korinsky, LLP

(firm name)

with offices at 55 Broadway, 10th Floor

(street address)

New York

(city)

New York

(state)

10006

(zip code)

212.363.7500

(area code + telephone number)

aapton@zlk.com

(Email address)

2. That Petitioner has been retained personally or as a member of the law firm by

Corey Wiedel

[client(s)]

to provide legal representation in connection with

the above-entitled case now pending before this Court.

3. That since January 27, 2010, Petitioner has been and presently is a
 (date)
 member in good standing of the bar of the highest Court of the State of New York
 (state)
 where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or
 from the clerk of the supreme court or highest admitting court of each state, territory, or insular
 possession of the United States in which the applicant has been admitted to practice law certifying
 the applicant's membership therein is in good standing.

4. That Petitioner was admitted to practice before the following United States District
 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts
 of other States on the dates indicated for each, and that Petitioner is presently a member in good
 standing of the bars of said Courts.

| Court | Date Admitted | Bar Number |
|--------------|---------------|------------|
| See Addendum | | |
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5. That there are or have been no disciplinary proceedings instituted against petitioner,
 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory
 or administrative body, or any resignation or termination in order to avoid disciplinary or
 disbarment proceedings, except as described in detail below:

None.

6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give particulars if ever denied admission):

None.

7. That Petitioner is a member of good standing in the following Bar Associations.

None.

8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

| Date of Application | Cause | Title of Court Administrative Body or Arbitrator | Was Application Granted or Denied |
|---------------------|-------|--|---|
| None. | | | |
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(If necessary, please attach a statement of additional applications)

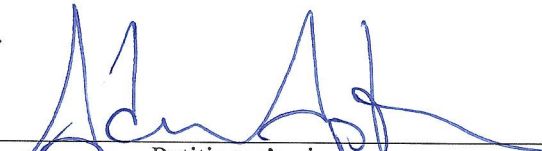
9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada.

10. Petitioner agrees to comply with the standards of professional conduct required of the members of the bar of this court.

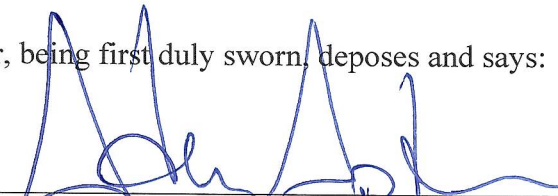
11. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
FOR THE PURPOSES OF THIS CASE ONLY.

STATE OF Connecticut)
COUNTY OF Fairfield)

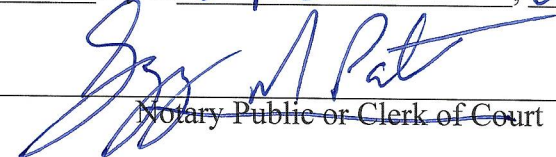

Petitioner's signature

Adam M. Apton, Petitioner, being first duly sworn, deposes and says:
That the foregoing statements are true.


Petitioner's signature

Subscribed and sworn to before me this

6th day of September, 2022.


~~Notary Public or Clerk of Court~~ Commissioner of the Superior Court

**DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO
THE BAR OF THIS COURT AND CONSENT THERETO.**

Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner believes it to be in the best interests of the client(s) to designate David C. O'Mara, Esq.,
(name of local counsel)
Attorney at Law, member of the State of Nevada and previously admitted to practice before the above-entitled Court as associate resident counsel in this action. The address and email address of said designated Nevada counsel is:

311 E. Liberty Street
(street address)
Reno, Nevada, 89501
(city) (state) (zip code)
775.323.1321, david@omaralaw.net
(area code + telephone number) (Email address)

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes
2 agreement and authorization for the designated resident admitted counsel to sign stipulations
3 binding on all of us.

4
5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6
7 The undersigned party(ies) appoint(s) David C. O'Mara, Esq. as
8 his/her/their Designated Resident Nevada Counsel in this case.
(name of local counsel)

9
10 Cory J. Wiedel

Cory J. Wiedel (Sep 6, 2022 09:40 CDT)

11 (party's signature)

12 Cory Wiedel, Lead Plaintiff Movant

13 (type or print party name, title)

14 (party's signature)

15
16 (type or print party name, title)

17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

19
20 David C. O'Mara
Designated Resident Nevada Counsel's signature

21 08599

22 Bar number

david@omaralaw.net

23 Email address

24 APPROVED:

25 Dated: this _____ day of _____, 20____.

26
27 UNITED STATES DISTRICT JUDGE



*Appellate Division of the Supreme Court
of the State of New York
Second Judicial Department*

I, Maria T. Fasulo, Clerk of the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, do hereby certify that

Adam Marc Apton

was duly licensed and admitted to practice as an Attorney and Counselor at Law in all the courts of this State on January 27, 2010, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors at Law on file in this office, is duly registered with the Administration Office of the Courts, and according to the records of this Court is currently in good standing as an Attorney and Counselor-at-Law.



In Witness Whereof, I have hereunto set my hand in the City of Brooklyn on September 6, 2022.

Maria T. Fasulo

Clerk of the Court

ADDENDUM TO APPLICATION FOR ADMISSION

| Court Name | Admission Date | Bar No. |
|--|-----------------------|----------------|
| State of New York | 1/27/10 | 4759841 |
| U.S.D.C., Southern District of New York | 2/23/10 | AS8383 |
| U.S.D.C., Eastern District of New York | 3/8/10 | |
| District of Columbia - Certificate Pending | 12/9/13 | 1017720 |
| U.S.C.A., Ninth Circuit | 7/22/15 | |
| U.S.C.A., Second Circuit | 1/8/16 | |
| U.S.C.A., Third Circuit | 6/2/16 | |
| State of California - Certificate Pending | 11/27/17 | 316506 |
| U.S.D.C., Central District of California | 12/8/17 | |
| U.S.D.C., Northern District of California | 12/8/17 | |
| U.S.D.C., Southern District of California | 12/11/17 | |
| U.S.D.C., District of Colorado | 7/26/18 | |
| State of New Jersey - Certificate Pending | 9/25/20 | 330152020 |
| U.S.D.C., District of New Jersey | 11/17/20 | |
| U.S.C.A., First Circuit | 1/4/22 | 1199969 |